

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
THURSDAY, SEPTEMBER 2, 2004
8:30 A.M.**

Commissioners Present: Ray Stevens, Chair
Larry Hudkins, Vice Chair
Bernie Heier
Bob Workman
Deb Schorr

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Trish Owen, Chief Deputy County Clerk
Ann Taylor, County Clerk's Office

The Chair opened the meeting at 8:37 a.m.

AGENDA ITEM

**1 APPROVAL OF THE STAFF MEETING MINUTES OF THURSDAY,
AUGUST 26, 2004**

MOTION: Schorr moved and Stevens seconded approval of the Staff Meeting minutes of August 26, 2004. Schorr, Stevens, Workman and Heier voted aye. Hudkins was absent from voting. Motion carried.

Hudkins arrived at 8:39 a.m.

2 ADDITIONS TO THE AGENDA

- A. Comprehensive Plan Amendment No. 04020
- B. General Assistance (GA) Eligibility
- C. Letter of Support for the Family Violence Council's Application for a Safe and Bright Futures for Children Initiative Phase I Grant Through the U.S. Department of Health and Human Services Office of Public Health and Science (Exhibit A)
- D. Southeast Community College (SCC) Budget Presentation (Exhibit B)
- E. Office of Juvenile Justice and Delinquency Prevention (OJJDP) Grant

MOTION: Heier moved and Hudkins seconded approval of the additions to the agenda. Workman, Hudkins, Stevens, Schorr and Heier voted aye. Motion carried.

3 JAMAICA SOUTH TRAIL BRIDGES - Don Thomas, County Engineer; Virgil Dearmont, County Engineering

Don Thomas, County Engineer, said bridges on Panama Road and Pella Road, which are part of the abandoned Union Pacific rail-line, have height and width problems (Exhibit C). The rail line has been turned over to the Lower Platte South Natural Resources District (NRD) to develop as a trail system and the NRD has asked the County to replace the bridges with pedestrian bridges. **NOTE:** The County can seek federal enhancement funds (potential 80% funding of the project). Thomas said he has not budgeted for the project and estimated that it will cost \$5,000 to \$10,000 to have an outside engineer investigate costs.

The following alternatives were suggested: 1) Raise the bridge abutment; 2) Lower the grade underneath the trestle; 3) Ask City Parks & Recreation or the Railroad Transportation Safety District (RTSD) to serve as sponsor for the project and to apply for the federal enhancement funds.

Hudkins asked whether the bridges are in violation as long as the height is posted.

Thomas said no, and said he will seek a County Attorney's opinion as to whether the County is still responsible for posting warning signs now that the NRD has assumed ownership.

MOTION: Hudkins moved and Schorr seconded to direct Don Thomas, County Engineer, to: 1) Bring back cost estimates for removal of the bridges, an at-grade crossing and raising the bridge abutment, but to not employ the services of an outside engineer at this time; and 2) Investigate whether funds are available through the Railroad Transportation Safety District (RTSD).

Gwen Thorpe, Deputy Chief Administrative Officer, said she will contact Randall Funding and Development, Inc. to see whether there are grant funds available.

ROLL CALL: Workman, Hudkins, Stevens, Schorr and Heier voted aye. Motion carried.

NORRIS HIGH SCHOOL PORTABLES - Larry Worrell, County Surveyor

Larry Worrell, County Surveyor, said Norris High School has placed several portables in the public right-of-way (see pictures in Exhibits D & E). He advised the Board to notify the school in writing of liability concerns and of the immediate need for stop signs. Worrell said it may also be advisable to place a guardrail in the ditch.

Thorpe said the County may be eligible for reimbursement of guardrail costs through Federal Emergency Management Agency (FEMA).

MOTION: Hudkins moved and Workman seconded to direct the County Engineer and staff to draft a letter to Norris High School, for signature by the Chair, outlining the liability issues, asking that the portables be removed as soon as possible, with notification to the County Board, and indicating that the County will install the stop signs and bill Norris High School. Heier, Schorr, Hudkins, Stevens and Workman voted aye. Motion carried.

4 PRE-TRIAL RELEASE PROGRAM (CASEWORKER AND FIELD OFFICER) - Kim Etherton, Community Corrections Director

Kim Etherton, Community Corrections Director, requested authorization to proceed with hiring a caseworker and field officer, noting that the positions were included in the budget.

MOTION: Heier moved and Workman seconded approval. Workman, Hudkins, Heier, Schorr and Stevens voted aye. Motion carried.

Etherton said there are indications that State Probation may not provide drug testing services to the Adult Drug Court, beyond the current contract. She will discuss the issue further with Ed Birkel, State Probation Administrator, and will report back to the Board.

5 OLD ATTENTION CENTER LEASE - Mike Thew, Chief Deputy County Attorney; Kristy Mundt, Deputy County Attorney; Don Killeen, County Property Manager; Topher Hansen, CenterPointe Director

Don Killeen, County Property Manager, said he has reviewed the proposed lease with CenterPointe relative to the market leased value and has concluded that the proposed lease meets or exceeds market value. **NOTE:** The subject property is 9,000 square feet with a proposed triple net lease rate of \$4,200 per month, or \$5.60 per square foot annually.

Mike Thew, Chief Deputy County Attorney, said the concept of a triple net lease is for the lessee to pay for improvements. He said the proposed lease allows the County to recover the amortized cost of improvements that are being made, but no return on the property itself. Thew said he was informed by two MAI (Member of Appraisal Institute) appraisers that the lessee would need to pay the County \$400,000 (cost of the remodel) for this to be considered comparable.

Killeen disagreed, and said triple net lease deals primarily with items such as utilities, insurance and taxes.

Thew recommended that the lease rate be tied to a contract for services.

Topher Hansen, CenterPointe Director, said CenterPointe receives money from the County for programs that will be located in the facility. One contract is through the Joint Budget Committee (JBC).

Thew said the County Attorney's Office will include the language in the lease and contract to reflect that the lease rate is in consideration of services.

6 A) MOTOCROSS TASK FORCE; AND B) ECONOMIC DEVELOPMENT UPDATE - Darl Naumann, Administrative Assistant to the Mayor/Economic Development

A) Motocross Task Force

Darl Naumann, Administrative Assistant to the Mayor/Economic Development, said nine sites have been identified as possible locations for a motocross track, four of which are within the City or Lancaster County.

Hudkins suggested further exploration of Boosalis Park, 48th & Fletcher Avenue, as a possible site. He also stated that Kawasaki Motors is looking for a testing site.

MOTION: Workman moved and Hudkins seconded to form a task force to look at motor sports in Lancaster County, under the direction of Darl Naumann, Administrative Assistant to the Mayor/Economic Development, and to ask that a list of potential appointees be brought back to the Board for approval.

Heier suggested that Workman serve in an ex-officio basis.

ROLL CALL: Workman, Hudkins, Stevens, Schorr and Heier voted aye. Motion carried.

Board consensus was to schedule further discussion in two weeks.

B) Economic Development Update

Naumann updated the Board on economic development projects (Exhibits F & G) and on efforts to streamline the permitting and planning processes.

In response to a question from Schorr, Naumann said economic development professionals meet at the Chamber of Commerce on a bimonthly basis. He said recent topics of discussion were an infrastructure plan and possible locations for an industrial park.

Heier noted the Board's willingness to help with commercial or industrial sites if land cannot be located within the City.

Workman said east and west traffic does not have access to businesses on the north side of Cornhusker Highway between 35th and 40th Streets. It was suggested that Workman bring the problem to the attention of the City Engineer, City Public Works/Utilities and the City-County Common.

7 NORRIS SCHOOL PORTABLES - Larry Worrell, County Surveyor

Item moved forward on the agenda.

8 SALARY RESOLUTION FOR CLASSIFIED, UNREPRESENTED EMPLOYEES - Tom Fox, Deputy County Attorney

Tom Fox, Deputy County Attorney, said he will schedule a resolution on the September 7, 2004 Board of Commissioners Meeting agenda to clearly establish the 2004-2005 annual cost of living increase for certain unrepresented employees in the classified service and to rescind County Resolution R-04-0104 for lack of clarity.

9 LETTER TO GOVERNOR - Sheryl Schrepf, Families First & Foremost (F³) Director; Renee' Dozier, F³ Associate Director; Dennis Banks, Youth Services Center Director

Sheryl Schrepf, Families First & Foremost (F³) Director, and Dennis Banks, Youth Services Center Director, recommended that the Board hold off on sending a letter to the Governor to allow them time to determine whether recent changes in OJS evaluations have lengthened stay in detention.

The Board concurred with the recommendation.

Transport issues were also discussed.

ADMINISTRATIVE OFFICER REPORT

D. Claims for Review:

- 1) Families First & Foremost (F³) - PV 782-6048, dated August 2, 2004, payable to Lincoln Public Schools (LPS). This is the final payment on contract C-03-0344. The total amount of the payment voucher is \$17,239.33 which does not include \$8,724.47 that the vendor is requesting, due to being over the contract.

Sheryl Schrepf, Families First & Foremost (F³) Director, recommended payment of the claim, stating the amount that is over the contract reflects a payout of vacation time for the employees that were terminated, in accordance with LPS policy.

An amendment to increase compensation will be scheduled on the September 7, 2004 Board of Commissioners Meeting agenda.

- 2) Families First & Foremost (F³) - PV 782-6159, dated August 19, 2004, payable to Psychotherapy Associates in the amount of \$766.94. Payment is for therapy services and includes the following dates and charges in the year 2004 which total \$243.96: March 30, 2004 - \$56.21; April 1, 2004 - \$58.24; April 13, 2004 - \$73.30; and April 27, 2004 - \$56.21. The claim is beyond the 90 day time period.

Schrepf recommended payment of the claim.

- 3) Juvenile Detention Center - PV678-050156, dated August 1, 2004, payable to Isabelle J. Markowski d/b/a Stitch-N-Time in the amount of \$39.75. Payment is for sewing services and the invoice is dated March 30, 2004. The claim is beyond the 90 day time period.

Eagan distributed copies of correspondence from Dennis Banks, Youth Services Center Director, recommending payment of the claim (Exhibit H).

ADDITIONS TO THE AGENDA

E. Office of Juvenile Justice and Delinquency Prevention (OJJDP) Grant

Schrepf presented an abstract of the F³ Safe Start Project (Exhibit I).

MOTION: Hudkins moved and Workman seconded to submit the grant application and to authorize the Chair to sign it, if necessary. Heier, Schorr, Hudkins, Workman and Stevens voted aye. Motion carried.

A. Comprehensive Plan Amendment No. 04020

Schorr and Hudkins expressed concern regarding inclusion of language to close access to US-77 at Old Cheney Road.

MOTION: Workman moved and Heier seconded to postpone the public hearing on Comprehensive Plan Amendment No. 04020 and to request a briefing by Marvin Krout, Planning Director. Heier, Schorr, Stevens, Hudkins and Workman voted aye. Motion carried.

Heier exited the meeting at 11:10 a.m.

B. General Assistance (GA) Eligibility

Hudkins said a GA client contacted him and expressed concern regarding job application requirements. He asked whether there has been an arbitrary change to the guidelines.

Eagan said no, noting the client has the right of appeal.

C. Letter of Support for the Family Violence Council's Application for a Safe and Bright Futures for Children Initiative Phase I Grant Through the U.S. Department of Health and Human Services Office of Public Health and Science (Exhibit A)

The Board requested additional information on the grant and revisions to the letter.

D. Southeast Community College (SCC) Budget Presentation (Exhibit B)

Board consensus was to schedule a presentation at a County Board of Commissioners Meeting.

10 ACTION ITEMS

A. Paycheck Insert for 1st Choice Credit Union (Loan Promotion)

MOTION: Workman moved and Hudkins seconded approval. Schorr, Workman, Hudkins and Stevens voted aye. Heier was absent from voting. Motion carried.

11 ADMINISTRATIVE OFFICER REPORT

- A. Proposed Date for Tri-County Retreat with Douglas and Sarpy Counties (November 15, 2004 in Omaha, Nebraska)

The Board suggested November 11 and November 18, 2004 as alternative dates.

- B. Reschedule Discussion of Point System for Acreage Development

Item held.

- C. Change Order and Allowance Modifications for Midtown Center Remodel

Item was scheduled on the September 7, 2004 Board of Commissioners Meeting agenda.

- D. Claims for Review:

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Items D1, D2 and D3 were moved forward on the agenda.

- 4) Emergency Management - PV 693356078, dated August 19, 2004, payable to Leo Benes in the amount of \$1,500. Payment is for instructor fees from December 1, 2003 through May 11, 2004. The claim is beyond the 90 day time period.

- 5) Emergency Management - PV 693356096, dated August 19, 2004, payable to Steve Dolezal in the amount of \$450. Payment is for instructor fees from April 26, 2004 through May 11, 2004. The claim is beyond the 90 day time period.

Eagan said Emergency Management received the claims in a timely manner but did not submit them, as it was waiting on Office of Domestic Preparedness (ODP) funds from Nebraska Emergency Management Agency (NEMA).

- E. Correspondence from Dennis Keefe, Public Defender, Regarding the Budget

Stevens said Keefe has indicated that there may be a significant shortfall in certain areas of the budget that were reduced.

- F. Microcomputer Request C#2004-344, \$15,943.67 for Software and Monitor for County Engineer from Geographic Information System (GIS) Budget

MOTION: Hudkins moved and Workman seconded to schedule discussion with Doug Thomas, Information Services Director, and Jim Langtry, County Engineer Geographic Information Systems (GIS) Mapping Division Head, on a Staff Meeting agenda. Workman, Hudkins, Schorr and Stevens voted aye. Motion carried.

- G. Letter from Omaha Public Power District (OPPD) Regarding New Transmission Line

Board consensus was to forward copies of the letter to the Planning Department and County Engineer.

- H. Legislative Committee Hearings (Gas Tax and Inmate Medical Care)

Board consensus was to have a representative attend the hearings.

12 COMMISSIONER MEETING REPORTS

- A. Visitors Promotion Advisory Committee (VPAC) - Schorr

Schorr said Wendy Birdsall, Lincoln Convention & Visitors Bureau President, would like the meetings to take place on a quarterly, rather than a monthly, basis.

- B. Lincoln Independent Business Association (LIBA) Monthly Meeting - Heier, Workman

Workman said discussion focused on the State Fair.

- C. Downtown Lincoln Association (DLA) Board - Stevens

Stevens said there were presentations on Antelope Valley and plans for the Cornhusker Hotel.

- D. Lancaster County Fairgrounds Joint Public Agency (JPA) Budget Hearing and Meeting - Heier, Workman

Workman said approval was given to \$642,000 in principal and interest payments.

13 ADJOURNMENT

MOTION: Workman moved and Hudkins seconded to adjourn the meeting at 11:52 a.m. Workman, Hudkins, Schorr and Stevens voted aye. Heier was absent from voting. Motion carried.

Bruce Medcalf
Lancaster County Clerk